IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

MACA.No. 1495 of 2006()

AGAINST THE ORDER DATED 13/12/2005 IN OPMV. 661 /2000 IN OPMV.444/2000 of MOTOR ACCIDENT CLAIMS TRIBUNAL,] THALASSERY
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APPELLANT/3RD RESPONDENT:-

THE ORIENTAL INSURANCE CO. LTD.,
KANNUR, REPRESENTED BY ITS ADMINISTRATIVE OFFICER,
REGIONAL OFFICE, ERNAKULAM NORTH, KOCHI-18.

BY ADV. SRI.GEORGE CHERIAN (THIRUVALLA)

RESPONDENTS/CLAIMANTS:-
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1. P.LEELA, W/O. LATE NANU,
RESIDING AT GREESHMAM, P.O.VADAKKUMBAD.

2. V.P.BEENA, D/O. NANU,
RESIDING AT GREESHMAM, P.O.VADAKKUMBAD.

3. V.P.SEENA, D/O. NANU,
RESIDING AT GREESHMAM, P.O.VADAKKUMBAD.

4. V.P.SHEENA, D/O. NANU,
RESIDING AT GREESHMAM, P.O.VADAKKUMBAD.

BY ADV. SRI.SARVOTHAMAN

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD ON 29/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S. Radhakrishnan &
T.R. Ramachandran Nair, JJ.

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M.A.C.A.NO.1495 OF 2006

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Dated this the 29th day of November, 2007

JUDGMENT

Radhakrishnan, J.

This is an appeal preferred by the insurance company challenging the quantum of compensation awarded by the Tribunal. It is submitted by the learned counsel for the insurance company that the multiplier was not correctly applied. The Tribunal has accepted a multiplier of 15 considering the age of the first claimant being the wife of the deceased. The deceased was aged 52 years at the time of his death. He was working as a Mestri in Kadirur Beedi Workers Co-operative Society. Even though it was claimed that Rs.4,000/- was the monthly income of the deceased, The Tribunal has taken Rs.2,500/- as the monthly income and after applying the multiplier as 15, the compensation for loss of dependency was fixed at Rs.3,34,000/-. We are not prepared to say that the compensation awarded is on a higher side. The multiplier has been correctly applied, taking into consideration the age of the first claimant.

2. In such circumstances, we find no grounds to interfere with the

award passed by the Tribunal. The appeal is therefore dismissed.

(K.S. Radhakrishnan, Judge.)

(T.R. Ramachandran Nair, Judge.)

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